IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 261 of 2004 (S/B)

Satish Kumar Lamba,
S/o Late D.N. Lamba,
Presently posted as Addl. Secretary (Home),
Govt. of Uttaranchal, Secretariat,
Dehradun. ……. Petitioner

Versus

State of Uttaranchal & another. …….. Respondents

Mr. L.P. Naithani, learned senior counsel assisted by Mr. Rakesh Thalpiyal, learned counsel for the petitioner.
Mr. N.C. Gupta, learned Standing Counsel for the State.

Coram: Hon. V.S. Sirpurkar, C.J.
Hon. Irshad Hussain, J.

Date: 1st September, 2004

(Per Hon'ble the Chief Justice)

1. Heard learned counsel for the parties.

2. Mr. L.P. Naithani, learned Senior counsel appearing on behalf of the petitioner says that there was no communication of the order dated 25th May, 1993 nor was that order passed in pursuance of or as a sequel to the High Court's order. Learned counsel points out that this was not pointed out before the Apex Court.

3. After going through the writ petition, we are of the firm opinion that the remedy of the petitioner lies in going before the Supreme Court again either by way of review or otherwise since the order of the Supreme Court dismissing the S.L.P. has some observations against the petitioner.

4. In that view, this writ petition is allowed to be withdrawn and is disposed of as such.

(Irshad Hussain, J.)
01.09.2004

(V.S. Sirpurkar, C.J.)
01.09.2004

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